

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CISTASANY HATCH and DENNIS L. WILLIAMS,
Individually, and as Next Friends for DLW and JDW,
Minors, and DEANINE HATCH,

Case No. 2:10-cv-10638
Hon.

Plaintiffs,

vs.

FLYING DUTCHMAN MANAGEMENT, INC.,
A Michigan For Profit Corporation, DONALD E.
VAN CURLER, and SUSAN G. WATROUS,
Jointly and Severally,

Defendants.

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ANSWER AND AFFIRMATIVE DEFENSES

NOW COME Defendants by and through their counsel and in answer to
Plaintiffs' Complaint state as follows:

1. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.
2. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.

3. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.
4. Admit the allegations of paragraph 4 except the location of Defendants' offices being in Pittsfield Township, Washtenaw County, Michigan.
5. Denied as untrue.
6. Admit.
7. Admit.
8. Admit.
9. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.
10. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.
11. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.
12. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.
13. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.
14. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.
15. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.

16. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.
17. Admit that such contact was had.
18. Admit.
19. Denied as untrue as to the alleged move in date. Admit that Defendants were told that Susan Watrous had been informed by a zoning official of Ann Arbor Township that the applicable Ann Arbor Township ordinance prohibited the rental of the home.
20. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.
21. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.
22. Neither admit nor deny for lack of information leaving Plaintiffs to their proofs.
23. Neither admit nor deny the allegation of having “conducted multiple tests” leaving Plaintiffs to their proofs. Deny as untrue any allegation regarding racial discrimination in the renting of Defendants’ properties.
24. Denied as untrue.
25. Denied as untrue.
26. Denied as untrue.
27. Denied as untrue.
28. No response required.
29. Admit.

30. Denied as untrue.
31. Admit the house was subsequently rented, but neither admitted nor denied as to the race of the subsequent tenant for lack of information, leaving the Plaintiffs to their proofs.
32. Denied as untrue.
33. No response required.
34. Denied as untrue.
35. Denied as untrue.
36. No response required.
37. Denied as untrue.
38. Denied as untrue.

WHEREFORE Defendants pray that this Honorable Court enter judgment in their behalf, dismiss Plaintiffs' Complaint and grant to Defendants their attorney fees and costs thus wrongfully incurred.

AFFIRMATIVE DEFENSES

NOW COME Defendants, by and through their counsel, and for their Affirmative Defenses state as follows:

1. Plaintiffs have failed to state a claim upon which relief can be granted.
2. Plaintiffs claims fail as a matter of law.
3. Plaintiffs lack standing and/or legal capacity to bring the instant claims.
4. Plaintiffs have failed to show violation of any statutory provision by the Defendants.

5. Plaintiffs claims are barred by virtue of the running of applicable statutes of limitations.
6. Any actions of Defendants as alleged in Plaintiffs' Complaint found to be true are subject to the imposition of local ordinance on Defendants actions.

s/Mark A. Hopper
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